

REMARKS

Claims 1-54 are pending in the application. In the non-final Office Action of October 6, 2005, all claims were rejected. Applicants respectfully traverse the rejection as follows.

Rejection under 35 U.S.C. § 102(b)

Claims 1-54 stand rejected under 35 U.S.C. § 102(b) as being anticipated by the Oklahoma County Assessor's website <http://www.oklahomacounty.org/assessor/TaxCalculator.htm>. In rejecting claims 1-54, the Examiner reads the term "jurisdiction" as used in the claims to include school districts. Applicants request reconsideration and withdrawal of the rejection.

Applicants thank the Examiner for his time during the telephone conversation with Applicants' representative following the issuance of the Office Action.

Applicants have previously amended claims 1, 10, 19, 29 and 44 to emphasize the distinction between a "jurisdiction" and a "district." Specifically, Applicants amended claims 1 and 10 to recite that "the jurisdiction identifier is associated with a local property tax assessor, treasurer or collector that is not a local property tax appropriating district"; Applicants amended claim 19 to recite that "the jurisdiction comprises a local property tax assessor, treasurer or collector that is not a local property tax appropriating district"; and Applicants amended claims 29 and 44 to recite that "each of the plurality of jurisdictions is a property tax assessor, treasurer or collector that is not a local property tax appropriating district." Applicants respectfully submit that these amendments simply reiterate the distinction between a property tax "jurisdiction" and "district" which is well known and is reflected in the specification.

The Examiner acknowledges that Applicants previously have provided evidence and an affidavit to support their position that there is a distinction between a property tax jurisdiction and a property tax district, such as a school district. The Examiner asserts, however, that Applicants' specification uses an example that contradicts Applicants' position. Specifically, the Examiner notes that the specification, at page 68, refers to "Maricopa" as a jurisdiction and that that jurisdiction also is a school district. Applicants respectfully disagree. The Examiner erroneously reads the term "Maricopa" as referring to the unified school district in the town of Maricopa in Pinal County, Arizona, which town has a population of roughly 1000 people. See Exhibit A to this Response. Instead, however, the reference to "Maricopa" in the specification is the identifier for the taxing jurisdiction of Maricopa County, not a reference to the school district of the small town of Maricopa in Pinal County. See Exhibit B to this Response. FIGs. 24 and 25

of the application show that the reference to “Maricopa” refers to the taxing jurisdiction of Maricopa County as well. FIG. 24 depicts a Jurisdiction Maintenance user interface for adding jurisdictions to the database of the system, which interface shows jurisdiction code and name fields (466, 468). FIG. 25 depicts a Jurisdiction Payee user interface, which shows the Maricopa County Tax Collector as the payee for the jurisdiction of Maricopa County, Arizona (referenced by the abbreviated jurisdiction code/state code of MAR/AZ).

To assist the Examiner, Applicants also submit with this Response additional evidence showing that it is well understood in the art that there is a distinction between a tax jurisdiction and a tax district. This evidence includes the Second Declaration of Cecilia Benites Under Rule 132 (the “Second Benites Declaration”). As set forth in the Second Benites Declaration, the Glossary for Property Appraisal and Assessment published by the International Association of Assessing Officers (the IAAO Glossary) confirms that “jurisdiction” is generally understood to mean a governmental body having the power to tax and the power to govern. In contrast, the term “property tax district” is generally understood to mean a body that performs only an administrative function, *i.e.* appropriating funds for local governmental services such as school districts, fire districts, police districts and street improvement districts within their geographic boundaries. This administrative function includes calculating the levy, or amount of money needed to be raised from the property tax for the district’s services, which can then be used to set the district tax rate. Thus, in common property tax terminology the governmental authority of an assessor, collector or treasurer is referred to as “jurisdiction,” while the territorial boundaries of administrative tax appropriating bodies are referred to as “districts.” Second Benites Declaration ¶ 3.

The definitions in the IAAO Glossary, as well as Ms. Benites’s understanding, are consistent with general dictionary definitions of “jurisdiction” and “district.” As indicated at the website <http://www.dictionary.net>, the term “[j]urisdiction, in its most general sense, is the power to make, declare, or apply the law.” See Exhibit C to this Response. In contrast, the term “district” is “[a] division of territory; a defined portion of a state, town, or city, etc. made for administrative . . . purposes” See Exhibit D to this Response.

The foregoing evidence likewise is consistent with Applicants’ specification, which draws the distinction between (i) tax assessing and billing jurisdictions that have rule-making authority and (ii) tax districts that have no rule-making authority (but which may perform an

administrative function by calculating tax rates that are plugged into the property tax formula for computing taxes, *i.e.* the rule, established by the taxing jurisdiction). Rule-making authority is described as the power to legally prescribe to taxpayers: a tax year; the formula for computing taxes; the period of time in between property revaluations; installment payment terms; valuation appeal procedures; and, create terminology used to describe property tax assessments. *See* Specification at pp. 28-35, FIG. 24. A tax district cannot do this.

The Oklahoma County Assessor's Website

In the Office Action, the Examiner asserts that the Oklahoma County Assessor's web site shows that "rates vary across the county depending on which school district the property is located (different tax rules/templates)." Office Action at p. 2. The school districts, however, do not have different tax rules and do not reflect different tax assessing or billing jurisdictions. Instead, the Estimated Tax Calculator for the Oklahoma County Assessor's web site follows only one tax calculation formula to provide this estimate for all of the property under the jurisdiction of the Oklahoma County Assessor because the Oklahoma County Assessor follows only one tax calculation formula. Thus, even though tax district rates vary across the tax districts in Oklahoma County, the Oklahoma County Assessor has only one tax calculation formula that he follows for computing property taxes

In contrast to the Oklahoma County Estimated Tax Calculator, the system and method of Applicants' invention can use the property, state and jurisdiction identifier to provide the correct tax calculation formula in a sophisticated template system and can calculate the amount of taxes payable on a parcel of property located within any Assessor's jurisdiction, anywhere in the United States. The Oklahoma County Assessor's website does not teach or suggest a system that is capable of processing property tax information accurately for many taxing jurisdictions each of which may have a different set of tax rules, as can Applicants' invention. Rather, the Oklahoma County Assessor's website reflects a system that can be used to make an approximate property tax calculation for only a single taxing jurisdiction (*i.e.*, Oklahoma County) according to one rule (*i.e.*, the property tax formula for Oklahoma County).

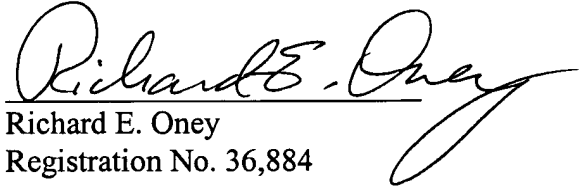
Conclusion

All of the stated grounds of rejection have been properly traversed, accommodated, or rendered moot. Applicants therefore respectfully request that the Examiner reconsider all

presently outstanding rejections and that they be withdrawn. It is believed that a full and complete reply has been made to the outstanding Office Action and, as such, the present application is in condition for allowance. If the Examiner believes, for any reason, that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at the number provided.

Dated: April 6, 2006.

Respectfully submitted,



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I hereby certify that this paper and all documents and any fee referred to herein are being deposited on the date indicated above with the U.S. Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. § 1.10, postage prepaid and addressed to Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.



Louis A. Lofredo, Paralegal

4-6-06
Date of Signature